

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
SURPRISE FIELD OFFICE**

**CATEGORICAL EXCLUSION REVIEW AND APPROVAL**

**Project Name:** Crooks Lake Allotment Livestock Grazing Authorization

**NEPA Number:** DOI-BLM-CA-370-2009-0004-CX

**Project Description:** The Bureau of Land Management (BLM) is proposing to issue the existing livestock grazing permits on the Crooks Lake Allotment for a 10 year period.

**Project Location:** The Crooks Lake Allotment is located four miles east of Fort Bidwell, California. The allotment lies in both northeastern California and northwestern Nevada at T45N, R18E (see attached map) and consists of 36,860 acres of public 5,840 acres of private land.

The public was notified of the project in January 2008, and a scoping letter was sent to 66 interested publics of record on January 17, 2008. Western Watersheds Project and Nevada Department of Wildlife contributed comments that did not require a response but were carefully considered.

**Project Purpose and Need:**

The purpose of the action is to authorize livestock grazing use on the Crooks Lake Allotment. All grazing would be in accordance with 43 CFR 4100 and consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, and Federal Land Policy and Management Act. In addition, the action will ensure that all authorizations implement provisions of, and are in conformance with the National Environmental Policy Act (NEPA), the Surprise Field Office Resource Management Plan (RMP) and Record of Decision of April 2008, and the Northeastern California and Northwestern Nevada, Standards for Rangeland Health and Guidelines for Livestock Grazing Management 2000.

The Surprise Field Office RMP applicable goals and objectives of livestock grazing, as noted on page 2-34 and 2-35 include the following: 1) Sustainable, ecologically sound, and economically viable livestock grazing opportunities would be provided, where suitable, in the Surprise Field Office management area, 2) Adequate forage would be produced to support sustainable levels of livestock grazing where compatible with objectives for other resources and resource users, 3) Continue to modify and adjust grazing management within individual grazing allotments to ensure that a vigorous plant community is sustained in combination with livestock grazing.

Washington Office policy, through Instruction Memorandum No.2003-071, calls for all grazing permits to be fully processed by the end of FY 2009, including evaluations of grazing and appropriate NEPA documentation. In accordance with that policy, the Surprise Field Office proposes to issue fully processed livestock grazing permits to Fee Ranch Inc. and Owen Schafer for the Crooks Lake Allotment in 2008.

A copy of the land health standards determination for the Crooks Lake Allotment can be found at the Surprise Field Office, and is posted on the Surprise Field Office web page at [http://www.blm.gov/ca/st/en/fo/surprise/grazing\\_permit\\_renewals.html](http://www.blm.gov/ca/st/en/fo/surprise/grazing_permit_renewals.html). The determination concludes that all of the applicable land health standards are being met or, if standards are not being met, it is due to factors not attributable to existing livestock grazing.

The grazing permit or authorization (including crossing or trailing permits) will include the type and level of use authorized, including the kind and number of livestock, the period of use, and the amount of active and suspended use in animal unit months (AUMs), and terms and conditions for grazing use.

Attachment 1 provides this information including terms and conditions common to all the permits to be issued, as well as terms and conditions specific to the Crooks Lake Allotment. The Surprise Field Office is not proposing any changes to the existing grazing permit for the Crooks Lake Allotment.

The term permit and any future crossing/trailing permits would be implemented through Proposed and Final Grazing Decisions, with provisions for protest, appeal, and petition for stay, accordance with 43 CFR 4100, and would be sent to the permittee(s) and interested publics of record.

### **Plan Conformance**

- ✓ The proposed action is in conformance with the Proposed Surprise Field Office Resource Management Plan and final environmental impact statement issued in May 2007 as adopted by the Record of Decision approved in April 2008.
- ✓ The proposed action is in conformance with the Northeastern California and Northwestern Nevada, Standards for Rangeland Health and Guidelines for Livestock Grazing Management 2000.

The action described above meets the specific criteria for the use of a Categorical Exclusion, as referenced in 516 DM 11.9(D) 11. This reference states the following as a Categorical Exclusion (CX):

*Livestock grazing permits/leases where:*

- a. The new grazing permit/lease is consistent with the use specified on the previous permit/lease, such that*

1. *the same kind of livestock is grazed*
2. *the active use previously authorized is not exceeded, and*
3. *grazing does not occur more than 14 days earlier or later than as specified on the previous permit/lease, and*
- b. *The grazing allotment(s) has been assessed and evaluated and the Responsible Official has documented in a determination that the allotment(s) is*
  1. *meeting land health standards, or*
  2. *not meeting land health standards due to factors that do not include existing livestock grazing.*

**Screening for Extraordinary Circumstances:** The following exceptions (extraordinary circumstances) apply to individual actions within the CX, as listed in 516 DM 2, Appendix 2. The action has been reviewed to determine if any of the below listed exceptions to categorical exclusion documentation apply.

<i>Exceptions</i>	<b>Yes</b>	<b>No</b>	Specialist Initials
1. Have significant impacts on public health or safety.		X	SM
<b>Rationale:</b> The Crooks Lake Allotment is located in a remote portion of northeastern California and northwestern Nevada. The proposed action will have no significant impacts on public health or safety near public areas. There are no known circumstances in which public health or safety would be impacted or jeopardized.			
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		X	PB/AU

<p><b>Rationale:</b> There are no known unique natural resources or geographic characteristics contained within the Crooks Lake allotment. However, 2,253 acres have been inventoried on this allotment for cultural resources. As a result 22 archaeological sites were recorded. At this time there are no known effects to cultural resources from cattle on the Crooks Lake allotment. This allotment is scheduled for a Cultural Resource Assessment in 2011 as per the Supplemental Procedures for Livestock Grazing Permit/Lease Renewals, A Cultural Resources Amendment to the State Protocol Agreement Between the California BLM and the California State Historic Preservation Officer. Because the permit renewals will not include any changes in terms and conditions, no new impacts to any cultural resources are expected.</p> <p>The Crooks Lake Allotment has no prime farmlands and no drinking water aquifer is associated with the allotment. Floodplains are associated with one perennial stream and three intermittent/ephemeral drainages that would not be significantly impacted by the issuance of the 10 year grazing permits. The ID team concluded that migratory birds would not be affected by the proposed action.</p>			
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		X	SM
<p><b>Rationale:</b> Continuing grazing as it has been on the allotment will not have any highly controversial environmental effects. There are no known conflicting interests on the allotment.</p>			
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X	SM
<p><b>Rationale:</b> Grazing the allotment in the same manner as previously permitted will have no uncertain or potentially significant environmental effects.</p>			
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		X	SM
<p><b>Rationale:</b> The proposed grazing authorization is based on review of site specific monitoring information and guidance from the applicable Land Use Plans. Decisions regarding livestock use on this allotment are not related to site specific decisions regarding uses in other allotments; therefore, there is no possibility for the proposed action to be considered as a precedent or to influence future actions in other areas.</p>			

6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X	SM
<b>Rationale:</b> No new grazing related actions are proposed for this allotment, and the lack of any other actions occurring in this local geographic area makes the risk of cumulative effects negligible.			
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		X	PB
<b>Rationale:</b> There are 22 known cultural resource sites located on the Crooks Lake Allotment. At this time there are no known effects to cultural resources from cattle on the Crooks Lake allotment. This allotment is scheduled for a Cultural Resource Assessment in 2011 as per the Supplemental Procedures for Livestock Grazing Permit/Lease Renewals, A Cultural Resources Amendment to the State Protocol Agreement Between the California BLM and the California State Historic Preservation Officer. Because the permit renewals will not include any changes in terms and conditions, no new impacts to any cultural resources are expected.			
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X	EFJ
<b>Rationale:</b> There is no known habitat for listed or proposed to be listed species within the Crooks Lake Allotment. There is no federally designated critical habitat for any listed species within the allotment. Surveys for Carson wandering skipper occurred south of the allotment and pygmy rabbit surveys occurred both around and within the allotment. These species were not found during these surveys.			
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X	PB
<b>Rationale:</b> This project would not violate any State, local, tribal or federal laws.			
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898, 'Environmental Justice').		X	SM

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<b>Rationale:</b> This project would not negatively affect low income or minority populations.			
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		X	PB
<b>Rationale:</b> There would be no limited access to any public lands resulting from this project. Native American consultation has taken place for this permit renewal. There were no concerns expressed by the tribes regarding the permit renewal.			
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		X	AU
<b>Rationale:</b> <a href="#">The Crooks Lake Allotment falls within the Surprise Cooperative Weed Management Area (CWMA) and is managed under the Surprise Integrated Weed Management Program. Parts of the allotment were surveyed for the presences of noxious weeds from 1998 to 2006 by the Surprise CWMA noxious weed crew. In pasture III four bull thistle and six Canada thistle sites were located around the NW side of Fee Reservoir. In pasture V two bull thistle sites were located on the edge of an ephemeral lakebed. The Upper Alkali Lake Restoration Project (Perennial pepperweed) is within ½ mile of pasture I and a few Scotch thistle plants were found along the Fee Reservoir Road just north of the allotment. Cheatgrass, Japanese Brome and bur buttercup have been observed on the allotment in localized sites.</a> <a href="#">With the current livestock numbers and season-of-use, livestock grazing is not expected to negatively affect the existing Canada thistle or bull thistle sites or introduce new noxious weeds to the allotment.</a>			

**Land Use Plan conformance and Categorical Exclusion review confirmation:**

Lead Preparer: Steven Markens Date: 1/9/2009

NEPA/ Environmental Coordinator: Emily Parnot Date: 1/12/2009

### Approval and Decision

Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable):

Field Office Manager: Shane DeForest Date: 1-9-09

**Attachment 1**  
**Crooks Lake Allotment Terms and Conditions**

Permitted Use Summary

Allotment	Active AUMs	Suspended AUMs	Total Permitted Use
Crooks Lake (01107)	3,088	1,630	4,178

Existing Grazing Permit Schedule

Operator	Authorization Number	Number of livestock	Class	Season of use	Public AUMs	% Public Land
Fee Ranch Inc.	0402621	373 4	Cattle Horse	4/1 – 10/31 4/15-10/31	2624 26	100 100
Owen Schafer	0403239	63	Cattle	4/1 – 10/31	443	100
Total		436 4	Cattle Horse	4/1 – 10/31 4/15–10/31	3067 26	100

This permit will be subject to the following terms and conditions:

1. Grazing use offered or authorized by BLM is subject to all provisions of the grazing regulations (43 CFR Parts 4100) and other applicable law and regulation. Grazing use authorization may be modified in accordance with regulation to attain progress towards achieving rangeland health standards (subpart 4180.1 and 4180.2 Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration). Any changes to the permit would occur after consultation, cooperation and coordination with the grazing permittee and other interested parties).
2. Grazing use on the Crooks Lake Allotment will be in accordance with this Proposed/Final Grazing Decision and other provisions of the Crooks Lake Allotment Management Plan. Any livestock use found outside the limits of flexibility of the AMP, without prior authorization, will be subject to unauthorized use actions.
3. Billing will be based on your actual use reports which are to be submitted within 15 days of your last authorized take off date for each allotment. If actual use reports are not submitted within 30 days, the permittee will be billed and liable for their full active preference. Repeated delays in submitting actual use reports and/or paying grazing billings will revoke actual use billing privileges.
4. Salt and/or mineral supplements will be placed no closer than ¼ mile from any public water source.



5. All range improvements must be maintained to BLM standards prior to livestock turnout. All assigned fence maintenance must be completed annually, even if your permit is not activated. Failure to complete assigned fence maintenance may result in suspension of your grazing authorization.
6. The livestock operators are responsible for moving livestock in a timely manner before allowable use levels are exceeded.

## Attachment 2

### Crooks Lake Allotment Map

